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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/367,761 08/19/99 DEGENKAMP

G 2019.000500

EXAMINER

PM82/0321

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~~PASTINGER, S~~
ART UNIT PAPER NUMBER

3617
DATE MAILED:

03/21/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/367,761

Applicant(s)

DEGENKAMP, GIJSBERTUS

Examiner

Sherman D. Basinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 10 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 and 33-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,4-6,20,21,23,25-30 and 33-36 is/are allowed.
- 6) ☒ Claim(s) 3,7-19,22,24 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the means for urging away of claim 3, the longitudinal slot which is concentrically situated with respect to the pin of claim 11, the second pin which is fixed to the intermediate member of claim 12, the lever mechanism of claim 17 and the resistance of claim 31 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 3, 11, 12, 17-19 and 31 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

a. The specification does not describe in detail such that it can be made and used the means for urging away the coupling hook from the pin during the swinging movement of the anchor line. What is the urging means?

b. The specification does not describe in detail such that it can be made and used the longitudinal slot which is concentrically situated with respect to the pin. Slot 70 of figure 4A does not appear to be concentrically situated with respect to the pin 61. The

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definition of concentric is having a common center as circles or spheres. Slot 70 does not appear to be circular such that it has a center which is common with the center of pin 61.

c. The specification does not describe in detail the second pin which is fixed to the intermediate member. Second pin 66 is not fixed with respect to the intermediate member 65 since it slides in slot 70.

d. The specification does not describe in detail such that it can be made and used the operation means comprising a lever mechanism which is pivotally mounted on the anchor and being in contact with a portion of the coupling hook which confines the pin forming part of the first coupling member in order to displace it with respect to the pin for releasing the portion in which the pin is attached to the fluke and the hook is attached to the lower end of the shank and wherein the lever mechanism extends from the rear hinge connection along the shank to the upper end of the shank and is connected there for co-rotation with a shackle for an installation line. What is this lever?

e. The specification does not describe in detail resistance included in the coupling in order to prevent unintended release when an uncontrolled swinging of the anchor line occurs. What is this resistance?

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 7-19, 22 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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The following have no clear antecedents: the parts of the anchor connected by both coupling members of claim 7, lines 3 and 4; the connection mentioned of claim 8; the connection mentioned of claim 9; the end of an elongated, rigid intermediate member of claim 10, lines 2 and 3; the lower end of the shank of claim 13; the longitudinal axis, the front hinge connection and the aforementioned coupling of claim 14; the other, rear positioned hinge and the aforementioned coupling of claim 15, the front hinge connection and the operation means for the rear hinge connection of claim 16; the rear hinge connection and the aforementioned coupling of claim 18, the lever mechanism, the rear hinge connection and the upper end thereof of claim 19; and the rear elongated element of claim 22.

Regarding claim 24, the phrase "such as" in lines 3 and 4 renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Allowable Subject Matter

6. Claims 1, 2, 4-6, 20, 21, 23, 25-30 and 33-36 are allowed.
7. Claims 7-10, 13-16, 22 and 24 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Response to Arguments

8. The arguments presented in the amendment filed January 10, 2001 have been considered. However, because the merits of claims withdrawn from consideration because they were improper multiple dependent claims are now being considered, new grounds of rejection have been set forth in this office action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherman D. Basinger whose telephone number is 703-308-1139.

The examiner can normally be reached on M-F (6:00-2:30 ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel J. Morano can be reached on 703-308-0230. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


Sherman D. Basinger
Primary Examiner
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sdb
March 20, 2001